

**CLERK'S MINUTES OF ARRAIGNMENT/DETENTION**

Date: **3/23/2022**

Judge: **WORMUTH**

Clerk: **K. SOLIS**

USA vs. **RICKY L. ROMERO, JR.**

CR NO. **22-424 MIS**

Deft present with counsel: **DARREN ROBINSON** ☒ Appt'd. ☐ Ret'd.

U.S. represented by: **JONI STAHL, AUSA**

Name of Interpreter: **N/A**

Court in Session: **10:03 – 10:11 A.M. (8 MIN)**

Liberty: **LCR-SIERRA BLANCA**

- ☐ Defendant not present                      ☐ Bench warrant issued  
☐ Waiver of Appearance at Arraignment and Entry of Not Guilty Plea submitted and approved in Open Court

**Court asked the Defendant:**

- ☐ Name                                              ☐ Extent of education/schooling                      ☐ Age  
☐ Whether defendant has any medical or mental health issues or concerns  
☒ Whether defendant has received a copy of **INDICTMENT**  
☒ Whether defendant has had time to consult with his/her attorney  
☒ Whether defendant wants Indictment/Information read in open court  
☒ Whether defendant will waive the reading of Indictment/Information  
☒ Whether defendant is ready to plead

☒ Defendant entered a plea of NOT GUILTY to all counts

☒ Matter referred to District Judge

☒ Counsel ordered to file any motions by: **4/13/2022**

☒ Case assigned to:

☒ **JUDGE STRICKLAND**

☒ Trial set on trailing docket commencing: **TO BE SET**

☐ Defendant requested psychiatric examination; Motion to be filed.

☒ Defendant in custody pending compliance with Conditions of Release

☐ Parties agree Standing Discovery Order to be electronically entered

☐ First appearance of Defendant

☒ Other: **\*ALL PARTIES APPEARED REMOTELY VIA ZOOM.**

**AS TO DETENTION: GOVERNMENT DOES NOT OPPOSE RELEASE AND STATES THAT THE ADDITIONAL CONDITIONS AFTER “NOT HAVE ANY CONTACT WITH ANYONE UNDER THE AGE OF 18, EXCEPT FOR HIS DAUGHTER.” LISTED IN THE PRETRIAL SERVICES REPORT (DOC. 9) ARE NOT NECESSARY; DEFENSE COUNSEL CONCURS.**

**COURT RULING – COURT ACCEPTS THE PARTIES' STIPULATION AND SETS CONDITIONS OF RELEASE, AS LISTED BELOW.**

CONDITIONS OF RELEASE			
<input checked="" type="checkbox"/>	Bond set: \$15,000 unsecured.	<input checked="" type="checkbox"/>	Avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including co-defendants.
<input checked="" type="checkbox"/>	Defendant released to the third-party custody of: Ricky Alan Romero.	<input checked="" type="checkbox"/>	Participate in mental health assessment/treatment/counseling as directed.
<input checked="" type="checkbox"/>	Defendant must reside with the Third-Party Custodian.	<input type="checkbox"/>	Defendant must maintain residence at the halfway house and comply will all facility rules.
<input checked="" type="checkbox"/>	Defendant must not violate federal, state, or local law while on release.	<input checked="" type="checkbox"/>	Not possess a firearm, destructive device, or other dangerous weapon.
<input checked="" type="checkbox"/>	Defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.	<input checked="" type="checkbox"/>	Refrain from the excessive use of alcohol.
<input checked="" type="checkbox"/>	Defendant must advise the Court or the Pretrial Services office or supervising officer in writing before making any change of residence or telephone number.	<input checked="" type="checkbox"/>	Not use or unlawfully possess a narcotic drug or other controlled substances, unless prescribed by a licensed medical practitioner.
<input checked="" type="checkbox"/>	Defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the Court may impose.	<input checked="" type="checkbox"/>	Submit to random drug screening as directed by Pretrial Services and not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
<input checked="" type="checkbox"/>	Defendant must sign an Appearance Bond, if ordered.	<input checked="" type="checkbox"/>	Participate in a program of substance abuse treatment as directed by Pretrial Services.
<input checked="" type="checkbox"/>	Report to Pretrial Services for supervision, as directed.	<input checked="" type="checkbox"/>	<p>Participate in the location monitoring program as directed by pretrial services and comply with all of the program requirements and instructions, employing the following technology and component:</p> <p>Technology: <b>Radio Frequency (RF)</b> Component: <b>Home Detention</b></p> <p>Defendant must pay all or part of the cost of the program based on ability to pay.</p>
<input type="checkbox"/>	Continue or actively seek employment.	<input checked="" type="checkbox"/>	Report as soon as possible, to Pretrial Services, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
<input checked="" type="checkbox"/>	Not obtain a passport or other international travel documents.	<input checked="" type="checkbox"/>	Refrain from the use and possession of synthetic cannabinoids or legally sold designer drugs.
<input checked="" type="checkbox"/>	Travel restricted to county of residence with direct travel to Las Cruces, NM for court appearances and attorney visits; Pretrial is authorized to expand travel.	<input checked="" type="checkbox"/>	Other: See attached page.

**ADDITIONAL CONDITIONS OF RELEASE**

- On July 26, 2006, The Adam Walsh Child Protection and Safety Act of 2006 became law. The Act amends 18 U.S.C. 3142(c)(1)(B) by requiring that any release order shall contain, at a minimum, a condition of electronic monitoring in any case that involves a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) to (3), 2252A(a)(1) to (4), 2260, 2421, 2422, 2423, 2425 or 2250. In addition to imposing an electronic monitoring condition, the Act requires that a court also impose the conditions specified in § 3142(c) (1) (B) **(iv)** [travel restriction], **(v)** [avoiding contact with alleged victim or potential witnesses], **(vi)** [report to pretrial services], **vii** [comply with a specified curfew], and **(viii)** [refrain from possessing a firearm].  
**(iv)** Follow restrictions on personal association, residence, or travel as directed by Pretrial Services. Travel restricted to: county of residence with direct travel to Las Cruces, NM to meet with attorney or for Court  
**(v)** Avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendants  
**(vi)** Report to the Pretrial Services as directed.  
**(vii)** Comply with a daily curfew as directed by Pretrial Services or supervising officer.  
**(viii)** Refrain from any use or possession of a firearm, destructive device, or other dangerous weapon or ammunition. All weapons need to be removed from the residence, except for the third-party custodian's duty weapon, which needs to be locked in a place where the defendant cannot access it.
- Not have contact with anyone under the age of 18, except for his daughter.